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APP  
PATENT  
Case 2328

5/9/84

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: :

Elijah H. Gold et al

For Patent for:

Angiotensin-Converting Enzyme Inhibitors:

(Date of Deposit)

Serial No.: 635 390

Anita Magatti

Registered Representative

Filed: July 30, 1984

Emilia Magatti

Signature

August 13, 1984

Date of Signature

Madison, New Jersey 07940

INFORMATION DISCLOSURE STATEMENT

Applicants wish to bring to the attention of the Patent and Trademark Office the following publications cited in the parent (Serial No. 258,484, filed April 28, 1981) grandparent (Serial No. 201,649, filed October 28, 1980, now abandoned) and great-grandparent (Serial No. 199,886, filed October 23, 1980, now abandoned) applications of this application.

In each of the parent, grandparent and great-grandparent applications, applicants cited the following publications:

- (1) U.S. Patent 4,046,889
- (2) U.S. Serial No. 972,314, filed December 22, 1978, now abandoned (see publication (11))
- (3) French Patent 2,462,428
- (4) E.P.A. 79-105015.6, publication No. 12,401 (see publication (8)), equivalent to U.S. Serial No. 968,249, filed

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December 11, 1978

(5) E.P. 31,741, published July 6, 1981

In the parent application, applicants also cited the following:

(6) E.P. 37,231, published October 7, 1981, which claims priority of U.S. Serial No. 137,106, filed April 2, 1980, U.S. Serial No. 194,307, filed October 6, 1980, and U.S. Serial No. 233,940, filed February 17, 1981, the latter now U.S. Patent 4,350,704

(7) E.P. 49,658, published April 14, 1982

Publications cited by the Patent and Trademark Office are as follows:

In the great-grandparent:

(8) E.P. 12,401, published June 25, 1980

(1) as listed above

In the grandparent:

(1), (5) and (8) as listed above

In the parent:

(9) U.S. Patent 4,316,905

(10) U.S. Patent 4,316,906

(11) U.S. Patent 4,311,697 (CIP of publication (2))

Applicants also note that Protests filed against the parent and the great-grandparent applications under 37 C.F.R. 1.291 cited the following publications:

(7) as listed above

(12) U.S. Patent 4,344,949

(13) U.S. Serial No. 245,407, filed March 19, 1980

- (14) U.S. Serial No. 264,880, filed May 18, 1981
- (15) U.S. Serial No. 362,082, filed March 29, 1982
- (16) E.P. 46,953, published March 10, 1982

Copies of publications (1)-(7) were supplied by applicants in the parent applications, and those cited by the PTO or in the Protest should be similarly available in the files. In order to avoid burdening the file of the instant application with unnecessary duplicate papers, no additional copies are enclosed, but applicants will supply copies if requested.

Applicants believe the above publications may be distinguished as follows: publications (1)-(4) and (8)-(11) are directed to substituted prolines and publications (6)-(7) and (12)-(16) are directed to octahydroindoles and/or tetrahydroisoquinolines, which ring structures are not claimed in the instant application. Publication (5) (the publication date of which is later than the filing date of applicants' great-grandparent application) nowhere specifically names the instantly claimed octahydrocyclopenta[b]pyrrole ring structure, and does not disclose the substituted aminoacyl group claimed by applicants. Applicants urge that none of the above publications anticipate or render obvious the instantly claimed compounds.

Applicants further note that Interference 101,104 is pending between the parent application and U.S. Serial No. 248,172, filed March 30, 1981. The Interference relates to N-cycloalkyl compounds which differ in structure from the instantly claimed octahydrocyclopenta[b]pyrroles.

Also, applicants draw attention to their copending

applications Serial No. 446,929, filed December 6, 1982 (application allowed) and Serial No. 334,053, filed December 23, 1981 which rely on the same U.S. priority applications as the instant application. The applications relate to 1,4-dithia-7-azaspiro[4.4]nonane and octahydroindole compounds, respectively, which differ in structure from the instantly claimed octahydrocyclopenta[b]pyrroles. U.S. Patent 4,425,355, discussed in Serial No. 334,053 and relating to octahydroindoles is a division of U.S. Patent 4,350,704 listed above under publication (6).

Respectfully submitted,

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